

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
FIFTY-NINTH LEGISLATURE

**EIGHTY-FIFTH LEGISLATIVE DAY
MONDAY, MARCH 31, 2008**

House of Representatives

The House convened at 10:00 a.m., Mr. Moyle in the Chair.

Roll call showed 66 members present.

Absent and excused — Chadderdon, Henbest, King,

Mr. Speaker. Total — 4.

Total — 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Bonnie Burk, Page.

Approval of Journal

March 31, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-second Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

April 28, 2008

Mr. Speaker:

I transmit herewith enrolled **SJM 114** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that the Speaker was about to sign enrolled **SJM 114** and, when so signed, ordered it returned to the Senate.

April 28, 2008

Mr. Speaker:

I return herewith **HCR 59** and **H 602** which have passed the Senate.

WOOD, Secretary

HCR 59 and **H 602** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

April 31, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 692**, **H 693**, and **H 694**.

CLARK, Chairman

H 692, **H 693**, and **H 694** were referred to the Ways and Means Committee.

H 676, **H 677**, and **H 678** held at the Desk March 21, 2008, were referred to the Ways and Means Committee.

H 686 held at the Desk March 25, 2008, was referred to the Ways and Means Committee.

April 31, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 59** and **H 602**.

CLARK, Chairman

The Speaker Pro Tem announced the Speaker was about to sign enrolled **HCR 59** and **H 602**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

April 31, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 566**, as amended in the Senate, **H 646**, **H 647**, **H 649**, **H 651**, **H 658**, **H 659**, **H 660**, **H 665**, **H 666**, **H 592**, **H 451**, as amended, **H 559**, **H 618**, **H 667**, **H 668**, and **H 669** to the Governor at 10:40 a.m., as of this date, March 28, 2008.

CLARK, Chairman

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

S 1515, **S 1516**, and **S 1517**, by Finance Committee, were read the second time by title and filed for third reading.

S 1361, as amended, as amended in the House, by Transportation Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Bedke asked unanimous consent that **H 689** retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **S 1516** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1516** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chavez, Chew, Clark, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Henderson, Jaquet, Killen, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Thomas, Trail, Wills, Wood(27), Wood(35). Total -- 62.

NAYS -- Durst. Total -- 1.

Absent and excused--Bayer, Chadderdon, Henbest, King, Lake, Vander Woude, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1516** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ringo to open debate.

The question being, "Shall **S 1516** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henderson, Jaquet, Killen, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Thomas, Trail, Wills, Wood(27), Wood(35). Total -- 63.

NAYS -- None.

Absent and excused--Bayer, Chadderdon, Henbest, King, Lake, Vander Woude, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1516** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **S 1517** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1517** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chavez, Chew, Clark, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Henderson, Jaquet, Killen, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Thomas, Trail, Wills, Wood(27), Wood(35). Total -- 62.

NAYS -- Durst. Total -- 1.

Absent and excused--Bayer, Chadderdon, Henbest, King, Lake, Vander Woude, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1517** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Brackett to open debate.

The question being, "Shall **S 1517** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henderson, Jaquet, Killen, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Thomas, Trail, Wills, Wood(27), Wood(35). Total -- 64.

NAYS -- None.

Absent and excused--Bayer, Chadderdon, Henbest, King, Vander Woude, Mr. Speaker. Total -- 6.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1517** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **S 1361**, as amended, as amended in the House, be suspended; that the portions of Section 15, Article

3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1361**, as amended, as amended in the House, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chavez, Chew, Clark, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Henderson, Jaquet, Killen, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Wills, Wood(27), Wood(35). Total -- 62.

NAYS -- Durst. Total -- 1.

Absent and excused--Bayer, Chadderdon, Henbest, King, Lake, Vander Woude, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1361**, as amended, as amended in the House, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ringo to open debate.

The question being, "Shall **S 1361**, as amended, as amended in the House, pass?"

Roll call resulted as follows:

AYES -- Anderson, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Bradford, Chavez, Chew, Crane, Durst, Eskridge, Hagedorn, Hart, Henderson, Jaquet, Killen, LeFavour, Marriott, Mathews, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Sayler, Shepherd(02), Shively, Smith(30), Smith(24), Snodgrass, Thomas, Trail, Wills, Wood(27). Total -- 37.

NAYS -- Andrus, Barrett, Bayer, Bedke, Bell, Brackett, Clark, Collins, Harwood, Kren, Labrador, Lake, Loertscher, Luker, McGeachin, Mortimer, Moyle, Nielsen, Patrick, Raybould, Roberts, Shepherd(08), Shirley, Stevenson, Thayne, Wood(35). Total -- 26.

Absent and excused--Chadderdon, Henbest, King, Nonini, Schaefer, Vander Woude, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1361**, as amended, as amended in the House, passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Bedke moved that all rules of the House interfering with the immediate consideration of **S 1515** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be

dispensed with, this being a case of urgency; and that **S 1515** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chavez, Chew, Clark, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Henderson, Jaquet, Killen, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Wills, Wood(27), Wood(35). Total -- 62.

NAYS -- Durst. Total -- 1.

Absent and excused--Bayer, Chadderdon, Henbest, King, Lake, Vander Woude, Mr. Speaker. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1515** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bayer to open debate.

Mr. Bayer asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1515**. There being no objection, it was so ordered.

The question being, "Shall **S 1515** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hart, Harwood, Henderson, Jaquet, Killen, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35). Total -- 63.

NAYS -- Andrus, Hagedorn. Total -- 2.

Absent and excused--Bradford, Chadderdon, Henbest, King, Mr. Speaker. Total -- 5.

Total -- 70.

Mrs. Barrett asked unanimous consent that her vote on **S 1515** be changed from "Aye" to "Nay". There being no objection, it was so ordered.

Corrected roll call resulted as follows:

AYES -- Anderson, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Chavez, Chew, Clark, Collins,

Crane, Durst, Eskridge, Hart, Harwood, Henderson, Jaquet, Killen, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35). Total -- 62.

NAYS -- Andrus, Barrett, Hagedorn. Total -- 3.

Absent and excused--Bradford, Chadderdon, Henbest, King, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1515** passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Bedke moved that the House recess until 3:00 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House at recess until 3:00 p.m.

RECESS

Afternoon Session

The House reconvened at 3:00 p.m., the Speaker in the Chair.

Roll call showed 62 members present.

Absent and excused -- Anderson, Bedke, Bell, Bolz, Bradford, Chadderdon, Henbest, Labrador. Total -- 8.

Total -- 70.

Prior to recess, the House was at the Fifteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10:00 a.m., Tuesday, April 1, 2008. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 3:17 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk